

# SENATE RECORD VOTE ANALYSIS

106th Congress  
1st Session

Vote No. 325

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## NUCLEAR TEST BAN TREATY/Rejection

**SUBJECT:** Comprehensive Nuclear Test-Ban Treaty . . . Treaty Document 105-28. Ratification.

### ACTION: RESOLUTION OF RATIFICATION REJECTED, 48-51

**SYNOPSIS:** The Comprehensive Nuclear Test-Ban Treaty (CTBT) will seek to prevent any nuclear testing of any nuclear weapon for any reason, ever, including testing to make sure that existing weapons have not become unstable or unreliable. Details include those provided below.

**Obligations.** Each party to the treaty will be obligated: not to carry out any "nuclear weapon test explosion" or any other "nuclear explosion"; to prohibit and to prevent any such nuclear explosion at any place under its jurisdiction or control; and to refrain from causing, encouraging, or in any way participating in the carrying out of any such nuclear explosion.

**Definitions.** Negotiators were unable to reach agreement on the terms "nuclear weapon test explosion" or "nuclear explosion." Therefore, the treaty leaves those terms undefined. Each party to the agreement is now essentially left to make its own definitions. For instance, Russia has maintained that hydronuclear testing, in which the non-nuclear yield is higher than the nuclear yield, would not be covered by this treaty. The Clinton Administration, which initially favored allowing small-yield testing of up to 500 tons, now maintains that subcritical testing is permitted but hydronuclear testing is not. China has supported tests of up to 10 kilotons.

**Organization.** The Comprehensive Test-Ban Treaty Organization (CTBTO) will be formed, which will include the Conference of State Parties (consisting of all treaty members) and the Executive Council. The Executive Council will have 51 elected members; those members will be elected by geographic region. The North America-Western Europe region will have 10 members. The United States will not have a guaranteed seat on the council. The council will decide whether an on-site inspection may be conducted.

**Verification.** The verification regime will have four sources of information that it will accept when monitoring for or investigating possible treaty violations. First, the International Monitoring System (IMS) will be created, which will consist of 322 facilities for seismological, radionuclide, hydroacoustic, and infrasound monitoring. Most of the planned facilities are U.S. facilities that are already in existence. Russia and China will not be required to calibrate their facilities to make their data accurate. Second, evidence from U.S. National Technical Means (NTM; for instance, spy satellites) will be considered. Third, on-site inspections, if approved, will be

(See other side)

YEAS (48)			NAYS (51)		NOT VOTING (0)	
Republicans (4 or 7%)	Democrats (44 or 100%)		Republicans (51 or 93%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Chafee	Akaka	Kennedy	Abraham	Helms	<b>VOTING PRESENT (1)</b> Byrd <b>EXPLANATION OF ABSENCE:</b> 1—Official Business 2—Necessarily Absent 3—Illness 4—Other  <b>SYMBOLS:</b> AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	
Jeffords	Baucus	Kerrey	Allard	Hutchinson		
Smith, Gordon	Bayh	Kerry	Ashcroft	Hutchison		
Specter	Biden	Kohl	Bennett	Inhofe		
	Bingaman	Landrieu	Bond	Kyl		
	Boxer	Lautenberg	Brownback	Lott		
	Breaux	Leahy	Bunning	Lugar		
	Bryan	Levin	Burns	Mack		
	Cleland	Lieberman	Campbell	McCain		
	Conrad	Lincoln	Cochran	McConnell		
	Daschle	Mikulski	Collins	Murkowski		
	Dodd	Moynihan	Coverdell	Nickles		
	Dorgan	Murray	Craig	Roberts		
	Durbin	Reed	Crapo	Roth		
	Edwards	Reid	DeWine	Santorum		
	Feingold	Robb	Domenici	Sessions		
	Feinstein	Rockefeller	Enzi	Shelby		
	Graham	Sarbanes	Fitzgerald	Smith, Bob (I)		
	Harkin	Schumer	Frist	Snowe		
	Hollings	Torricelli	Gorton	Stevens		
	Inouye	Wellstone	Gramm	Thomas		
	Johnson	Wyden	Grams	Thompson		
			Grassley	Thurmond		
			Gregg	Voinovich		
			Hagel	Warner		
			Hatch			

Compiled and written by the staff of the Republican Policy Committee—Larry E. Craig, Chairman

allowed. Fourth, information from voluntary "confidence building measures" will be considered.

**Inspections.** A super-majority vote of 30 of the 51 members of the Executive Council will be required to approve an inspection. If approved, the party being inspected will have the right to reject inspectors from particular countries and will have the right to reject observers from particular countries. Inspection activities will be limited during the first 25 days. Inspection teams will have to use the least intrusive means possible to inspect suspected nuclear explosion sites. Teams will need specific approval from the Executive Council to drill for radioactive samples. No State party will be required to have more than one site inspected at a time. Other restrictions include that the inspected party will have the right to bar the use of certain approved inspection equipment, to limit overflights to one flight (it will also be allowed to impose numerous specified restrictions on that one flight), to manage access to buildings, and to declare restricted areas that cannot be inspected of up to 50 square kilometers (about 30 square miles).

**Compliance.** The Conference of States Parties will be permitted to restrict or suspend a State Party's rights and privileges under the treaty if it fails to redress a situation regarding questions of noncompliance. It will be permitted to recommend, but not impose, "collective action" by States Parties in cases of a serious breach of the treaty and to refer violations to the United Nations.

**Duration and withdrawal.** The treaty is of unlimited duration. A State Party will be permitted to withdraw from the treaty with 6 months' advance notice if necessary to protect its supreme interests and if it identifies those interests in its withdrawal notification.

**Reservations.** Reservations to the treaty will be prohibited.

**Conditions.** The resolution of ratification to the treaty has 6 conditions. The first 5 assert that the United States will take certain actions to maintain its nuclear capabilities and monitor other countries' nuclear activities. Condition 6 is as follows: if in any year the national labs and other Federal officials are unable to certify with a high degree of confidence that the nuclear stockpile is safe and reliable, the Secretaries of Energy and Defense will advise the President on whether they believe nuclear testing should resume and the President, if he decides that nuclear testing is necessary to certify with a high degree of confidence that the nuclear stockpile is safe and reliable, will withdraw the United States from the treaty under the advance notice provision above.

NOTE: A two-thirds majority (67 in this case) vote of those Senators present and voting is required to ratify a treaty.

**Those favoring** ratification contended:

The United States has a modern nuclear arsenal, as do a handful of other countries. With the CTBT, we are not arguing that the United States should give up that arsenal (though eventually we would like to have a peaceful, nuclear-free world). Instead, we are arguing that no new countries should have the opportunity to develop militarily effective nuclear weapons, and countries that already have such weapons should stop developing new ones. Our colleagues also wish to retain the United States' nuclear arsenal and wish to stop the development of militarily effective nuclear weapons. Thus, our objectives are the same. Our disagreement is over whether the CTBT would advance these two objectives. We believe it would. Unfortunately, we know that we do not have the votes to prevail on ratification. Under these circumstances, we think that it would be better not to vote at all than to have the world see the United States reject this treaty. The rejection of this treaty will encourage nuclear proliferation. Our Republican colleagues, though, have insisted that we vote now. They have shoved this treaty through the Senate without proper hearings and deliberation, and they have done so because of their political and personal dislike of President Clinton.

Opponents of the treaty fear that giving up nuclear testing would lead, eventually, to the United States' weapons becoming unreliable and unsafe. They may be right, though it is extremely unlikely that they are. For the past 7 years the United States has not conducted any nuclear tests, but still the directors of the three nuclear labs have been able to certify that our nuclear arsenal is safe and reliable. They have been able to make that certification because of other testing means. Most importantly, they have been able to use the Stockpile Stewardship Program. That program is rapidly developing the ability to use supercomputer programming to model nuclear blasts. Within an estimated 10 years it will be possible to use computer simulations of nuclear explosions to meet all of our testing needs. Further, we note that condition 6 of the resolution of ratification would require the President to withdraw from the treaty if there ever came a time that the 3 national lab directors said it was no longer possible to certify, with a high degree of certainty, the safety and reliability of our nuclear weapons. Thus, in the unlikely event that there was ever any doubt, the United States would withdraw from the CTBT and resume nuclear testing. Based on their confidence in the Stockpile Stewardship Program and the reassurance of condition 6, numerous technical, military, and intelligence experts support ratification of the CTBT.

Our colleagues say it would be impossible to detect all nuclear tests and therefore conclude that the treaty would have little value. Our colleagues are allowing the perfect to be the enemy of the good. The issue is not whether all nuclear tests would be detected, but whether enough tests, and whether significant tests, would be detected. Under that standard this treaty would be effectively verifiable. The monitoring stations that would be used would be able to detect non-decoupled tests of 1 kiloton or more. It is true that tests could be "decoupled" (muffled) by using such techniques as testing in salt domes, or that a country could try to evade the treaty by testing in the ocean where it would be hard to determine who had tested. However, other means of collecting information would also be used, and a country would be taking a large risk in assuming it would not get caught.

When a suspicious event was detected, a request would be made to inspect the site where the event occurred; if 30 of the 51 countries approved, an inspection would be ordered. Some Senators have suggested that it would be difficult to win approval for an inspection. We disagree; we would get votes from our European allies and votes from other countries in other regions, such as South America, fairly easily. In fact, we believe it would be easy for us to get votes to inspect suspicious events in places such as Russia or

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Iraq, but it would be hard for such countries to demand inspections of supposed cheating by us.

Enough Senators have spoken against this treaty that we know it has no chance of being ratified today. We are about to reject this treaty, which will be much worse than doing nothing at all. The world will view this rejection as the United States abdicating its leadership role in nuclear arms control. The United States is the only country powerful enough to exercise that role; if it refuses, the result will be a void that will encourage violent countries to develop nuclear weapons, which will force peaceful countries to develop their own nuclear weapons in self-defense. This vote may start multilateral nuclear arms races all over the world.

Simply delaying the vote, as President Clinton has now requested, would be a much better option. Unfortunately, some Republicans have refused. They believe that the President will just try to force the Senate to consider this popular treaty again next year without any improvements in order to inflict more political pain on Republicans when they reject it. Therefore, they have said that they will only cancel the vote if the President publicly agrees not to seek approval of the treaty for the remainder of this Congress, after which we will have a new President. Of course, President Clinton cannot accept that offer, because world events may make it imperative that he again press the Senate to act. Also, we believe our Republican colleagues are driven by a strong personal dislike of President Clinton, which is demonstrated by their opinion of his actions in negotiating this treaty. They think that he forced United States' negotiators to abandon numerous long-standing U.S. positions in order to get an agreement, any agreement, for which he could take credit while he was still President. Republicans believe that the President has endangered U.S. security in his determination to get the public relations victory of negotiating a nuclear test ban, and they wish to punish him for it by rejecting the treaty. We wish they would show restraint. Yes, many long-standing positions were abandoned, but that does not prove that the President was gutting United States' interests for his own benefit, and, as we have already explained, the treaty is in the United States' interests. This treaty should be ratified.

#### **Those opposing ratification contended:**

Approving the CTBT treaty would seriously endanger the United States and the world. The world was relatively peaceful in the second half of this century because the United States had a large nuclear arsenal. The need for protection from that arsenal in the coming century remains. Until recently, the United States used nuclear detonation tests to ensure the safety and reliability of its nuclear weapons. For the past 7 years, though, it has been under a self-imposed moratorium on such tests, and its confidence in its nuclear arsenal has consequently been slipping. This treaty would obligate it to forego nuclear detonation testing forever. Our colleagues say that prohibition is acceptable because the United States is currently trying to develop computer simulation capabilities as an alternative testing method. Our colleagues' dangerous assumption is that the United States will succeed in that effort. In return for taking this reckless chance, the United States would get undefined commitments from other countries that they likewise would refrain from all nuclear testing. Though the United States rigidly adheres to its treaty commitments, many other countries do not. Usually they try to hide their treaty violations; sometimes, especially when a treaty's enforcement measures are weak, they openly flaunt them. Therefore, the benefits, if any, that the United States gets from treaties often depend on whether those treaties contain effective verification and enforcement provisions. In this case, the CTBT has neither. Tests with yields of up to 70 kilotons of dynamite (5 times the size of the bomb dropped on Hiroshima) could go undetected, and even if a test were detected this treaty would make it nearly impossible to send in an inspection team to confirm the violation, and even if that hurdle were somehow surmounted it would be extremely unlikely that the offending country would get so much as a slap on the wrist. If recent history is any guide, it would more likely get foreign aid. Certainly better provisions could have been negotiated, but the Clinton Administration made several huge concessions in order to finalize the treaty quickly. An uninformed public will probably never be given an honest explanation of just how bad this treaty is, but all countries that may wish to develop nuclear weapons, including all of the United States' potential adversaries, are fully aware of its weaknesses. The Senate needs to reject this treaty to let this President, all future Presidents, and foreign leaders know that the Senate will not be a rubber stamp for bad treaties.

A third world war in the second half of this century was avoided largely because of fear of the United States' nuclear arsenal. If the United States had not had that arsenal, it may not even exist today. During the Cold War, Warsaw Pact conventional forces were so much stronger than NATO forces that the military plan was to be able to keep the Soviet Union from conquering Europe in less than 2 months, during which time the United States would try to make a nuclear threat credible enough to stop the attack.

The need for protection from the U.S. arsenal has not disappeared; most recently, Iraq's Hussein refrained from using any of his large arsenal of chemical and biological weapons against U.S. forces during the Gulf War to liberate Kuwait because he knew of the high probability that the United States would respond with nuclear weapons. Iraq's Foreign Minister Aziz, and the former head of its intelligence service, General Sammarai, have both confirmed that Iraq showed restraint for this reason. In the new, multipolar world, many smaller, unstable regimes are working feverishly to develop weapons of mass destruction. Additionally, China, which is still led by a violent communist regime, has recently been found to have stolen virtually all of the United States' nuclear secrets, including the plans for making its warheads. We doubt that it stole those plans on a lark; it intends to make copies of our nuclear weapons. The United States clearly still needs a nuclear arsenal to dissuade dangerous regimes from using their weapons of mass destruction, and it must be certain its arsenal is safe and reliable.

Approval of the CTBT would take away that certainty. This issue is extraordinarily complex, but there are basic facts that are not disputed, including the following: the United States has traditionally made its nuclear weapons to last a maximum of 20 years and has replaced them when they have reached approximately 10 years; the average age of the United States nuclear weapons is now more than

13 years; the United States has not conducted a nuclear test in 7 years (a testing moratorium was forced on President Bush by Congress, and President Clinton has continued the moratorium); the United States formerly had redundant nuclear systems but now has just 9 warheads that are tailored to specific military needs, such as for suitability for deployment on submarine-launched missiles (therefore, if a warhead were found to have a problem that could only be resolved with nuclear testing, and if that testing were prohibited, the United States would lose the ability to address the need which that warhead had been made to address); the United States' nuclear weapons are extraordinarily complex, containing thousands of parts, including sophisticated electronic components; nuclear weapons contain highly radioactive substances that cause damage to surrounding components; many of the manufacturing processes used to make components of existing weapons are no longer in existence; the pool of American scientists who have conducted nuclear tests is rapidly shrinking due to retirement; nuclear detonation has been used to find out if weapons will work because there are gaps in the United States' knowledge of how such weapons work; in the past, as new safety features have been developed, testing has been used to add them to existing weapons, but most modern safety features have not been added to our existing warheads because of the testing moratorium (for instance, the moratorium has prevented the substitution of insensitive high explosives for more volatile high explosives in order to ensure that sudden jarring of a weapon will not result in its accidental detonation); the United States, through its Stockpile Stewardship Program, is attempting to develop computer simulations of nuclear explosions as a substitute for actual explosions, but the program is behind schedule and may never work; nuclear weapons degrade over time, and without testing to detect and fix problems they will eventually become unsafe and unreliable; and the United States does not currently have a non-nuclear ability to test weapons to ensure indefinitely their continued safety and reliability.

Supporters tell us not to worry about the CTBT's call to give up all nuclear testing because they are sure that the Stockpile Stewardship Program will work, and, in the meantime, they are sure the lab directors will continue to be able to certify that our weapons are safe and reliable. Our colleagues are taking a great risk. It is true that the lab directors have been giving annual certifications of high confidence in our nuclear weapons, but their confidence has been declining. Former Secretary of Defense Schlesinger has estimated that the high confidence level in our nuclear weapons, as a result of our 7-year testing moratorium, has already declined from 99 percent to 85 percent. As our weapons continue to age without testing their safety and reliability will continue to decrease. One-third of all nuclear weapons deployed between 1958 and 1993 required nuclear testing to correct deficiencies after deployment. Many of those problems, in fact, were only found because of post-deployment testing; had a moratorium been in place in those years, we would have falsely assumed that they were still safe and reliable. America has the best nuclear scientists in the world, but, over the years, many of their chalkboard theories for warheads have been proven wrong in practice. Like our colleagues, we sincerely hope that the Stockpile Stewardship Program will work. In fact, we have fought hard to give the program adequate funding. This year, the House tried to make a large cut in its funding, and President Clinton has tried both to flat-line its budget without any inflationary increases and to make it pay for other activities. If it were not for Senate Republicans, the commitment to this program would have already been gutted. Frankly, the attacks on this program in its infancy do not increase our confidence in the chance that it will succeed.

Proponents of this treaty have put together a list of technical, military, and intelligence experts who are for ratification, and opponents have put together an equally long and impressive list of technical, military, and intelligence experts who are against ratification. Two points must be made about this battle of the experts. First, the fact that they are split is an argument by itself against the treaty. The Senate should not approve a treaty unless the case can clearly be made that it is in the national interest. With the huge split in expert opinion, that case has obviously not been made. Second, the list of experts who support the treaty is a lukewarm list, because the President had to add "condition 6" before many of them would agree to support ratification. At our hearings on the treaty the directors of the national labs clearly showed great reluctance in supporting ratification and were always careful to say that their support depended on the inclusion of condition 6. Many of the military leaders who have endorsed the treaty have likewise stressed the importance of condition 6. They believe, wrongly, that it would require the United States to withdraw from the CTBT if at any point the directors of the national labs and other top officials concluded that it was necessary to resume nuclear testing.

Those experts have fine judgment on technical, military, and intelligence matters, but their conclusion on the strength of condition 6 shows poor political judgment. Liberal politicians in this country view arms control treaties as sacrosanct. They will go to almost any lengths to adhere to them. The most obvious example is their continued effort to adhere to the Anti-Ballistic Missile Treaty, which was signed when the only nuclear threat was from the Soviet Union and it was in the interests of both sides to prevent the building of missile defenses that could lead to another arms race to overcome those defenses. The Soviet Union no longer exists, Russia is democratic and is destitute, and the United States has a new, urgent need to be able to defend itself from the threat of small-scale nuclear missile attacks from a variety of sources. Still, our colleagues stubbornly insist that building a limited missile defense will violate the ABM treaty and will lead to a new arms race with Russia. Nothing can override liberals' unwavering obeisance to arms control treaties. At the start of this debate, we pointed out that condition 6 was written with a lot of wiggle room for the President to avoid withdrawing from the treaty. Basically, all he had to do was think about withdrawing if the lab directors told him that our Stockpile Stewardship Program had failed and nuclear testing was needed. Due to our complaints, our Democratic colleagues reworded condition 6, but even in their rewording it would still ultimately be the President's decision. Another political problem with this arrangement is that it would damage national security if we ever reached the point that we had to publicly withdraw due to concerns over the safety and reliability of our nuclear arsenal. We imagine forces hostile to the United States would be interested to learn that we had found that our nuclear weapons were unsafe and ineffective. For the short-term at least, it would make it more likely that despots around the world would be willing to challenge the United States and use their own weapons of mass destruction against our troops or civilians or against our allies' troops

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or civilians.

The United States would not get anything in return for jeopardizing its own nuclear stockpile by approving this treaty. The first major problem is that the treaty would not define exactly what it purports to ban. The United States, at least this Administration, seems to have decided that it would ban nuclear tests that go past the subcritical level. Many of the extreme no-nuclear groups in this country reject that definition; they do not even want subcritical experiments. Russia, on the other hand, is taking the position that the ban applies only to experiments above the hydronuclear level, which means that the nuclear yield has to be more than the yield from the high-explosives used. China's position seems to be that any test under 10 kilotons is valid. No agreement was reached in negotiations, so any country that ratified the treaty could come up with its own definition and argue that it was valid.

The next major problem is that the monitoring system it would create is inadequate. For instance, the monitoring stations in Russia and China would not be placed near current testing sites, and Russia and China would not be required to calibrate their stations to make their readings accurate. Monitoring stations would be designed to detect explosions as small as 1 kiloton, but that is not saying much because of the effects of "decoupling" ("decoupling" refers to efforts to muffle explosions, usually by conducting a test in a cavity designed to absorb the shock waves from the blast). A fully decoupled 70-kiloton blast registers as a 1-kiloton explosion. The United States has said that it could develop an entire new class of nuclear weapons using explosions of 10 kilotons or less. If fully decoupled they could not be detected. Tests for safety and reliability require even smaller explosions. Some Senators may assume that less technologically advanced countries would have to use larger tests to determine the effectiveness of their weapons. That assumption may be incorrect. India has reported that last year it conducted two nuclear tests, neither of which were detected by the very monitoring stations that would be used under this treaty.

Even if the monitoring system detected a nuclear test or tests, inspections would be required to prove that the events detected actually were nuclear explosions. A supermajority vote (30 out of 51) of the Executive Council would be required before any inspection would be allowed. The United States would not get a permanent seat on that council; North American and Western Europe together would get only 10 seats. In the unlikely event an inspection was allowed, the types of permitted inspection activities would be limited. Inspectors would even need special permission from the Executive Council before they could drill for soil samples. Other limits include that the inspected nation would be able to bar inspectors from particular countries, would be able to declare areas of up to 50 square kilometers (about 30 square miles) off limits to inspectors, would be able to limit access to buildings, and would never be subjected to more than one inspection at a time. These limits could have been taken directly from Iraq's playbook for defeating inspections. Over the past several years Iraq has used many of these same limits to foil United Nations inspectors looking for evidence of Iraq's programs to develop weapons of mass destruction. When inspectors have been able to overcome those limits they have repeatedly found proof of those programs.

The next huge problem is that even if nuclear tests were detected and proven, it is not very likely that anything would be done against the guilty parties. The treaty only holds open the possibility that the Executive Council might decide to impose multilateral sanctions, and, if a really serious violation occurred, it might bring it to the attention of the United Nations. No action would be required under any circumstance. Based on the world's recent record with respect to Iraq, China, and North Korea, we think that the most likely response would be that the nations of the world would band together to give aid to any country that violated the treaty. Most of the world opposes continued sanctions on Iraq, no sanctions have been put on China for its continued assistance to rogue regimes that are developing weapons of mass destruction, and North Korea has actually been rewarded with huge multi-billion dollar bribes from the United States and other nations to try to get it to stop its nuclear weapon and missile programs.

North Korea's example leads us to the next problem that would come from ratifying the CTBT: countries would use it as an excuse to violate the Nuclear Non-Proliferation Treaty (NPT). Nearly all of the countries of the world have signed that treaty, which commits them to never acquire nuclear weapons. Obviously, therefore, if they are caught testing nuclear weapons it means they have already violated the NPT. Our fear is that the CTBT could end up being a way to grease the skids for admitting new members to the nuclear club. A country could build bombs, test them openly, and then when the world complained it would agree to get back in everyone's good graces by agreeing to stop testing. A new nuclear power would exist, and everyone would claim that the CTBT was successful in stopping that new power from testing.

We have absolutely no confidence that this treaty would work as intended. However, for the sake of argument, let us assume it would, and no nuclear tests would ever again occur. Do we want that result? No other nation has the technical abilities to develop computer modeling that the United States has. Thus, the U.S. stockpile would be kept safe and reliable, and all other nuclear powers would be left with nuclear weapons that would be steadily degenerating. Do we really want Russia, for example, to have thousands of unsafe and unreliable nuclear missiles? That result, of course, is the unspoken goal of proponents of the CTBT. Their hope is that nuclear weapons would be eliminated when they could no longer be safely kept. They are playing with a lot of lives with that hope.

Many of us very well could have supported a test-ban treaty if it had been properly negotiated. Unfortunately, we believe that President Clinton had our negotiators undermine the United States national security interests in order to get an agreement while he was still in office. Long-standing United States negotiating positions were abandoned. Most significantly, our negotiators were told to drop the United States' insistence that low-yield tests be allowed so that existing stockpiles could be kept safe and reliable. We also think that it was a grave mistake to go for a permanent ban rather than a limited duration ban, such as was sought during the Carter Administration, and it was certainly a mistake to give in on modest, eminently reasonable demands such as that monitoring stations should be put close to current test sites in Russia and China and should be calibrated (the former acting Director of the Arms Control

and Disarmament Agency has said that Chinese officials told him that they were prepared to agree to better seismic monitoring, but the Administration gave in before they had a chance). President Clinton could have been motivated by the desire to claim personal credit for negotiating the treaty, or he could have sincerely believed that establishing the principle that nuclear testing should not be allowed was more important than ensuring the safety and reliability of our nuclear weapons or actually making the treaty verifiable and enforceable. Regardless of his motivation, he conceded far too much.

Though the President rushed the negotiations, the Senate has proceeded at a deliberate pace, despite persistent demands from the President and Democratic Senators that the Senate immediately debate and vote on the CTBT. Earlier this summer Democrats even threatened to filibuster absolutely everything until they got their way on the treaty. The Majority Leader recently acceded to their wishes. He began negotiations with Democrats on the terms under which the treaty would be debated. After 3 days of negotiations and consideration of draft proposals, a unanimous consent request was written and all Senators were informed. No Senator objected, so the request was propounded and accepted. Many Democrats at the time assumed that the opposition that some Senators had expressed to the treaty would evaporate once the Senate began debate on it. However, to their surprise, they found out that those Senators' opposition was genuine and strong and that so many Senators opposed the treaty there was no way it would be ratified. Suddenly Democrats changed their tune. Instead of claiming that the process was being delayed, they began to claim that the treaty was being rushed through the Senate without due consideration. They would not be complaining, though, if they thought they had the votes to ratify the treaty. The process does not offend them; only the results do.

Their specific complaints about the process being rushed are not valid. For instance, they have said that not enough time was scheduled for debate. In response, we have had 22 hours of debate on this treaty, which is more than on any other arms control treaty in recent history. The START Treaty had just 9.5 hours of debate; the START II had just 6 hours; the Conventional Forces in Europe Treaty had 5 hours. Democrats have also falsely suggested that only 2 days of hearings on the CTBT have been held. The truth is that the Foreign Relations Committee has held 14 separate hearings in which it has heard extensive testimony from both sides on the CTBT. In addition, the Armed Services Committee has held extensive hearings that have included CTBT testimony and the Governmental Affairs Committee has held 3 hearings exclusively on this treaty. The issue has been exhaustively examined, and the treaty has been available for any Senators to study for 2 years. Certainly some Senators are less informed on all the details than are others, but they are as well or better informed than they have been for other treaties that have come before the Senate.

Some Senators have argued that we ought to delay this vote. They have given two reasons. First, they have suggested that during the delay they may be able to persuade enough Senators to switch their votes that the treaty will be ratified. They are deluding themselves. This treaty is not worth the paper it is written on. It is dead, and age will not make it smell any better. Our opposition, for all of the reasons stated above, is firm. Their second reason is that, in their opinion, rejection of this treaty will give a green light to nuclear testing to all the nuclear and nuclear-wannabe countries of the world. Our colleagues believe that other countries will use our rejection of the CTBT as an excuse for their own nuclear testing. In response, some countries may, but that begs the question of whether they would behave any differently if we were to ratify the treaty. We submit they would not. Their actions would be the same; only their excuse would change. Every nation on earth will act in its own interests as it sees them, with or without a treaty. A treaty only is of value if it is verifiable and if it remains in the interests of its signatories to adhere to it. Most countries readily violate treaties if they believe they can get away with it. When those treaties are with the United States (which faithfully adheres to its treaty commitments), it does not even matter much if they get caught--the former Soviet Union repeatedly violated every arms control agreement it had with the United States, but the United States essentially ignored those violations rather than abandon its loving devotion to those agreements. Reality did not matter; those scraps-of-paper treaties mattered.

Rejecting this treaty, far from harming United States interests, will advance them. It will put Presidents on notice that the Senate will not rubber stamp bad treaties, and it will let other countries know that when there is a patsy in the White House who will roll over for all their demands they will still have the Senate with which to deal. The average citizens of the world may well believe that this treaty should be approved because they do not understand how badly it has been negotiated and how dangerous it would consequently be if it were ratified. However, the opinions that matter more are the informed opinions of those policy-makers in dangerous countries that wish to develop and improve modern nuclear arsenals. They intimately understand the weaknesses of this treaty and will only be too willing to exploit them if we are foolish enough to ratify it. The United States will be strengthened if the Senate shows it has the courage to stand on principle by rejecting this politically popular but dangerous treaty. Delaying the vote, perhaps indefinitely, would be the easy way out, but we were not elected to hide from difficult choices. We urge our colleagues to join us in casting the right vote by defeating this treaty.

**While opposing** ratification, some Senators expressed the following reservations:

All of the arguments against this treaty are valid. Ratifying the CTBT as it is presently drafted would cause tremendous damage to U.S. interests. However, our colleagues who say that rejecting this treaty would cause tremendous damage are also correct. We wish it would have been possible to delay the vote. Unfortunately, for valid reasons, it was not. We are therefore left with two bad choices. In our judgment, approving this treaty would cause more damage than rejecting it. Therefore, we oppose ratification.